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Separate paging is given to this Part in order that it may be filed as a Separate Compilation.

PART IV-B

Rules and Orders (Other than those published in Parts I, I-A, and I-L) made
by the Government of Gujarat under the Gujarat Acts

URBAN DEVELOPMENT AND URBAN HOUSING DEPARTMENT

NOTIFICATION

Sachivalaya, Gandhinagar, 5th September, 2024

THE GUJARAT TOWN PLANNING AND URBAN DEVELOPMENT ACT, 1976.

NO.GH/V/325 of 2024/UDUHD/CRT/e-file/18/2024/3804/L: WHEREAS, the Comprehensive General Development Control Regulation-2017 notified vide Notification No. GH/V/269 of 2017/EDB-102016-3629-L, dated 12th October 2017 was sanctioned by Urban Development and Urban Housing Department Govt. Of Gujarat, Gandhinagar, under the provision of The Gujarat Town Planning and Urban Development Act – 1976 (hereinafter referred as the “Act”).

AND WHEREAS, the Government of Gujarat has modified the Comprehensive General Development Control Regulation-2017 thereafter on dated 03.10.2019 by Notification No.GH/V/143 of 2019/EDB-102016-3629-L (hereinafter referred as “CGDCR”).

AND WHEREAS, the Government of Gujarat is of the opinion that it is necessary, in the public interest, to make variations in the Comprehensive General Development Control Regulation-2017.

NOW, THEREFORE, in exercise of the power conferred by sub-section (1) of section-116A of the said Act, the Government of Gujarat hereby:-

- (a) proposes to make the variation in CGDCR ;
- (b) Calls upon any person to submit suggestion or objection, if any, with respect to the proposed variations made in CGDCR, as per below SCHEDULE to the Principal Secretary to Government of Gujarat, Urban Development and Urban Housing Department, Sachivalaya, Gandhinagar, in writing, within a period of two months from the date of the publication of this notification in the *Official Gazette*.

SCHEDULE

Comprehensive General Development Control Regulation-2017 notified vide Notification No.- GH/V/269 of 2017/EDB-102016-3629-L, on dated.12.10.2017 and modified by Notification No.GH/V/143 of 2019/EDB-102016-3629-L on dtd.03.10.2019 is modified as below.

Sr. No.	Part	Page No.	Regulation No.	Proposed Modification																
1	2	3	4	5																
1	I	2	Table 1.1	<p>In Table 1.1 Classification of Development Authorities, ULB’s and other areas</p> <p>“Dwarka-Okha Urban Development Authority” is added in D2 category.</p> <p>“Lothal Area Development Authority”, “Pavagadh Area Development Authority”, “Dholavira Area Development Authority”, “Modhera Area Development Authority”, “Bechraji Area Development Authority” Is added in D5 category.</p> <p>“Shahera Area Development Authority” is added in D7B category.</p>																
2	II	6	Table 6.2	<p>In Table 6.2 Classification of Designated Areas in Development Plan</p> <p>Sr.24A is added after Sr.No.24</p> <table><tr><th>Sr. No.</th><th>Use Zone</th><th>Conceptualized Zone</th><th>Code</th><th>Permissible Use Referred as code (codes detailed in Table 6.3)</th></tr><tr><th>(1)</th><th>(2)</th><th>(3)</th><th>(4)</th><th>(5)</th></tr><tr><td>24A</td><td>Restricted Institutional, Sports and Leisure Zone</td><td>Knowledge and Institutional Zone-3</td><td>KZ3</td><td>EDU1, EDU2, SP&L</td></tr></table>	Sr. No.	Use Zone	Conceptualized Zone	Code	Permissible Use Referred as code (codes detailed in Table 6.3)	(1)	(2)	(3)	(4)	(5)	24A	Restricted Institutional, Sports and Leisure Zone	Knowledge and Institutional Zone-3	KZ3	EDU1, EDU2, SP&L	
Sr. No.	Use Zone	Conceptualized Zone	Code	Permissible Use Referred as code (codes detailed in Table 6.3)																
(1)	(2)	(3)	(4)	(5)																
24A	Restricted Institutional, Sports and Leisure Zone	Knowledge and Institutional Zone-3	KZ3	EDU1, EDU2, SP&L																
3	II	13	6.3	<p>6.3 Floor Space Index (F.S.I.).</p> <p>In 6.3.1 Floor Space Index (F.S.I.) for different categories, sub regulation no. “e” is added after sub regulation no. “d” as below.</p> <p>“e. Maximum permissible F.S.I. in Knowledge and Institutional Zone-3 (KZ3) shall be 1.80.”</p>																
4	II	55	New	New regulation 6.23 GAMING ACTIVITY AREA is added after regulation no.6.22 as per Annexure-A attached herewith.																
5	III	35	17.6	<p>Regulation No. “17.6 Energy Efficient Buildings” is replaced as under,</p> <p>“17.6 Incentive FSI for Green Buildings</p> <p>Any owner or developer desires to construct an energy efficient Green Building shall be entitled for incentive FSI as shown in Table 17.6 below.</p> <p>Table 17.6 Incentive FSI for Green Buildings</p> <table><tr><th>GRIHA Rating</th><th>Three Star</th><th>Four Star</th><th>Five Star</th></tr><tr><th>IGBC/ LEED Rating</th><th>Silver</th><th>Gold</th><th>Platinum</th></tr><tr><th>1</th><th>2</th><th>3</th><th>4</th></tr><tr><td>Incentive FSI</td><td>7% of Chargeable FSI consumed shall not be Charged for Chargeable FSI</td><td>10% of Chargeable FSI consumed shall not be Charged for Chargeable FSI</td><td>12% of Chargeable FSI consumed shall not be Charged for Chargeable FSI</td></tr></table> <p>GRIHA – Green Rating for Integrated Habited Assessment IGBC - Indian Green Building Council LEED – Leadership in Energy and Environmental Design</p>	GRIHA Rating	Three Star	Four Star	Five Star	IGBC/ LEED Rating	Silver	Gold	Platinum	1	2	3	4	Incentive FSI	7% of Chargeable FSI consumed shall not be Charged for Chargeable FSI	10% of Chargeable FSI consumed shall not be Charged for Chargeable FSI	12% of Chargeable FSI consumed shall not be Charged for Chargeable FSI
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Sr. No.	Part	Page No.	Regulation No.	Proposed Modification
1	2	3	4	5
				<p>Note :</p> <ol style="list-style-type: none"> Development Permission for Green Building and grant of incentive FSI shall be allowed on the basis of pre-certification by the above green rating agencies to be submitted by the applicant/ Developer/ Owner at the time of seeking Development Permission. The projects which are under construction as on date of notification of coming in to force of above provision and are pre-certified by any of the above agencies shall also be eligible for availing incentive FSI for which revised Development Permission has to be sought for. Any amount of Chargeable FSI to be reimburse towards incentive FSI shall be paid to the applicant/ Developer/ Owner at the time of BU Permission. Periodic inspection during the construction in regard to compliance of "Green Building" norms shall be done by the rating agencies who has issued the pre-certification. Grant of incentive FSI should not be in contravention of any provision of prevailing CGDCR-2017. BU Permission shall be issued by the Competent Authority only after receipt of the "FINAL RATING CERTIFICATE" from the above rating agency. In case of non-compliance of the Green Building requirements and if the applicant fails to obtain required rating certification at the time of making application for BU Permission, the Incentive FSI shall be compounded at the rate of 2 times the amount of Incentive FSI which shall be paid in single installment."

Annexure-A

To the NOTIFICATION NO.GH/V/325 OF 2024/UDUHD/CRT/e-file/18/2024/3804/L,

Dated 05.09.2024

6.23 GAMING ACTIVITY AREA

Notwithstanding anything contained in this CGDCR, these regulations shall be applicable for Gaming Activity Areas. For any provision not mentioned in this Regulation No. 6.23, the provisions of CGDCR shall apply *mutatis mutandis*.

6.23.1. Definitions

- Gaming Activity Area** refers to a designated space where business activity is done for the attraction, comfort, and recreation of the customers/visitors by engaging in various gaming activities which is either stand-alone or integrated with shopping centre, shopping malls, multiplex, cinema complex, club, hotel, resort, or other entertainment areas and for which an entry fee is charged.

In case of stand-alone the Gaming Activity Area may be indoor or outdoor or combination of both.

- Gaming Approvals** means all licenses, permits, approvals, authorizations, certificates, registrations, permissions, and other actions necessary for the ownership, development, construction, financing, management, operation, and safety of the Gaming Activity Area issued by any Competent Authority necessary for or relating to the conduct of Gaming or Gaming activities.

6.23.2. Applicability

Permitted in all zones except the following conceptualized zone:

- Core Walled City(CW)
- All gamtals
- Heritage Core Area of Udawada Nagarpalika

- d. Special, Obnoxious & Hazardous Industrial Zone (IZ5)
- e. Gandhi Ashram Special Development Area (SPD-4)

Provided that only stand-alone Gaming Activity Area shall be allowed in Residential Zone-3 (R3) and in Agriculture Zone with restrictions as mentioned in these regulations.

6.23.3. Planning Parameters for stand-alone Gaming Activity Area

- a. The minimum area of Building-unit shall be as per Table below.

#	Gaming Activities	Min. Area of Building-unit
(1)	(2)	(3)
1	Only Indoor	2000 m ²
2	Only Outdoor	4000 m ²
3	Combination of Indoor & Outdoor	4500 m ²

- b. Gaming Activity Area shall be permissible in Building-unit abutting on road having width not less than 18 mt. If Building-unit is abutting on more than one road, the main entry and exit shall be provided from wider road.
- c. The width of main entry and exit to the building unit to be provided separately and shall not be less than 6.0 mt.
- d. The minimum width of approach to the main building entry and exit from main entry and exit of building unit shall not be less than 6.0 mt. or required width of approach as per the Table 6.47, whichever is higher.
- e. The width of main entry and exit of the main building to be provided separately shall not be less than 4.50 mt.
- f. Maximum Permissible Ground Coverage shall be 30% of the Building-unit.
- g. Minimum 12.0 mt. margin shall be provided from road having main entry and exit to the building unit. Margin on all other sides shall not be less than 9.0 mt.
- h. The maximum permissible height from ground level shall not be more than 15.0 mt.
- i. Parking shall be provided at the rate of 50% of Building-unit area.
- j. Parking shall not be permitted in required margin.
- k. Single level basement shall be permissible only for parking purpose.
- l. Minimum distance between built-up line and Parking shall be 6.0 mt.
- m. The maximum permissible FSI and maximum permissible building height shall be regulated as per CGDCR in Residential Zone-3 (R3) and any Agriculture Zone.
- n. Sanitation facility shall be provided as table given below for maximum number of users declared by the applicant.

Sr. No.	No. of Users	Min. No. of Urinals	Min. No. of Water Closets
(1)	(2)	(3)	(4)
1	< 500	1 per 50 male users	1 per 50 users per gender
2	>500	1 per 100 male users	1 per 100 users per gender

- o. Emergency exits at every 50 mt. intervals shall be provided on all sides of the main building having width of 3.00 mt. However, at-least one exit shall be provided on all sides in the main building.
- p. For all upper floors including mezzanine floor a refuge area of 18 Sq.mtr. with maximum projection of 2 mt. shall be provided. The distance between two exit doors of such refuge area shall not be more than 50 mt. The refuge area to be accessible from relevant floor with a minimum 2.00 mt. wide exit door.
- q. All mezzanine floor/s shall be accessible by at-least two staircases of fire retarding material having a minimum width of 2 mt. separately marked for entry and exit.

- r. All upper floors shall be accessible by at-least two staircases of fire retarding material having a minimum width of 2 mt. separately marked for entry and exit. Number of staircases shall be regulated as per Table 13.2.
- s. Structure stability certificate from the registered SEOR shall be produced at the time of obtaining development permission.
- t. No cooking shall be permitted in the main building. No LPG/CNG/PNG Gas pipeline shall be permitted in the main building.
- u. Make Gaming Activity Areas accessible for people with disabilities accessible design features like ramps, elevators and tactile pathways including accessible toilets and drinking water facilities shall be provided.
- v. Space for well-equipped medical facility for First aid easily accessible and well-marked with properly lit signage shall be provided within the main building.
- w. Before starting any gaming activity for which development permission is obtained before the date of coming into force of these regulations shall get the revised development permission as per the above regulations, submit the necessary valid gaming approvals along with the Building Use permission.

6.23.4. Planning Parameters for other than stand-alone Gaming Activity Area

- a. The building having Gaming Activity Area shall be abutting on minimum 18 mt. wide road.
- b. Carpet area shall be more than 250 sq.mtr.
- c. Separate entry and exit each of 3 mt. width shall be provided.
- d. Minimum floor height shall be 2.9 mt.
- e. Mezzanine floor shall not be permitted.
- f. Approach from lift and stairs to the Gaming Activity Area shall be free from all obstructions at all time.
- g. Minimum width of stairs from ground floor to the floor having such Gaming Activity Area shall be 2.0 mt. with separate entry and exit.
- h. Separate gaming activity use specific fire NOC and licences/certificate/ NOC/Permit from other concerned departments shall be required.

6.23.5. Procedure for getting permission letter for other than stand-alone Gaming Activity Area

- a. All existing and upcoming Gaming Activity Area shall operate only after receiving the permission letter along with the duly signed floor plan from the competent authority in the format mention below.
- b. For getting such permission letter the owner/occupier/developer shall make an application to the competent authority in the format as may be prescribed by the concern competent authority along-with the following documents.
 - 1. Building Use permission of the building
 - 2. Valid Fire NOC of the building
 - 3. Fire opinion of the Gaming Activity Area
 - 4. Floor Plan of the proposed Gaming Activity Area
 - 5. Required Gaming Approvals
 - 6. And other documents as may be required by the competent authority.
- c. The competent authority may levy the scrutiny Fee for processing such application as may be prescribe by them.
- d. The appropriate authority shall issue the permission letter after verification of the documents and site inspection within 15 working days from the submission of all the necessary documents and the prescribed Fee.

- e. With this permission letter the owner/occupier/developer shall apply for the Fire NOC which may be issued by the concern RFO/CFO. the copy of which shall be send to the authority who has issued the permission letter.
- f. In no case the Gaming Activity Start Without obtaining the permission letter and the Fire NOC.
- g. No physical change from the duly signed floor plan shall be permitted without obtaining the fresh permission.
- h. The permission letter may be issued by the competent authority in the format given below.

PERMISSION LETTER for other than stand-alone Gaming Activity Area	
(See Regulation No. 6.23.6)	
To	
(Name of person)	
For (Description of Gaming Activity Area)	
Permission is hereby granted/refused under regulation no. 6.23.6 of CGDCR-2017	
On the following conditions/grounds Conditions: (in case of grant)	
Grounds: (in case of refusal)	
Following documents/plans/N.O.C. are not submitted.	
Date :	Seal and Signature of the competent authority

6.23.6. General Requirements

- a. Adequate electrical infrastructure as published in the National Building Code of India, Part VIII - Building Services, Section 2- Electrical Installations and in the Central Electricity Act and its amendment, shall be provided in all buildings to the satisfaction of the Competent Authority.
- b. Emergency power backup facility for two hours shall be provided to the satisfaction of officer of fire department.
- c. The valid Fire Safety Certificate and Building Use Permission and all other required valid licences shall be displayed prominently near all the booking windows.
- d. The Emergency Exit route and auto glow signage shall be properly lit and displayed.
- e. All the materials being used inside such Activity Area (like Wood/fabric/foam/wood/electrical cables/ any other natural/man-made materials) should be inherently flame/fire retardant. The materials used in the building shall be frequently treated with an effective flame-retardant material. Game settings made of combustible materials shall likewise be treated with fire retardant materials of class 1 flame spread.
- f. All flooring, stairs, pathways shall be Slip-resistant.
- g. The NOC for use and storage of Hazardous and Petroleum product as per the Petroleum Rules 1976 under the Petroleum Act 1934 shall be obtained wherever necessary and in no case, it should be stored in the building.
- h. Wherever applicable, provisions in Indian Standards, IS 15475 (Parts 1 to 6) Code of recommended practice for amusement rides safety shall be followed for amusement rides safety.
- i. For the Conformity to other Act and Regulations, refer regulation no.20 of CGDCR-2017.
- j. In cases when additional fabrication/ modification work is required, necessary government approvals from respective authority must be taken in advance and such activities shall be carried out only after proper physical isolation/ barrier of the premises has been done. During such fabrication/ modification work such occupancy will not be available for public use and all necessary fire safety precaution shall have to be taken by owner/ occupier.

- k. The application for Gaming Activity Area either stand-alone or otherwise shall be processed offline till further orders.

6.23.7. Submission of Gaming Approvals

- a) In case of stand-alone Gaming Activity Area, all the necessary Gaming Approvals shall be submitted before applying for building use permission.
- b) In other than stand-alone Gaming Activity Area, all the necessary Gaming Approvals along-with Building Use permission of the building in which the Gaming Activity is proposed shall be submitted along-with the application for permission letter.

6.23.8. Penalty

- a) **Stand-alone Gaming Activity Area.**

In case of any violation of building use permission if come to the notice of the appropriate authority the use shall be discontinued with immediate effect and penalty of 20 times of scrutiny fees shall be leviable by the Competent Authority.

- b) **Other than Stand-alone Gaming Activity Area.**

In case of any violation of permission letter if come to the notice of the appropriate authority the use shall be discontinued with immediate effect and penalty of 20 times of prescribed scrutiny fees shall be leviable by the Competent Authority.

By order and in the name of the Governor of Gujarat,

PRAKASH DUTTA,

Officer on Special Duty & Ex-Officio
Joint Secretary to Government.

